IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 22792 of 2005

Between:

Ch.Narayana Rao and 4 others

..... PETITIONERS

AND

The District Collector,

East Godavari District

at Kakinada and 3 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents 1 to 3 in not considering the representation of the petitioners and members of Antarvedi Kara Samisti Cooperative Collective Farming Society, dated 13.06.2005, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioners and the learned Government Pleader for Cooperation.

It is stated that the Government had allotted land to an extent of Ac.66.90 cents to the petitioners' society by name Antarvedi Kara Samisti Cooperative Collective Farming Society, Antarvedi, Sakhinetipalli Mandal, East Godavari District and all the members have been cultivating the same collectively. It is further stated that the President of the said society with a mala fide intention, to break up the unity of members, is making attempts to convert the joint land of the society into individual plots. It is also stated that if the said society is registered under A.P.Cooperative Societies Act, the respondents have no jurisdiction to pass any orders, and it is only for the society to take steps in accordance with the provisions of the A.P.Cooperative Societies Act. It is not made clear that whether the petitioners' society is registered under A.P.Cooperative Societies Act or under Public Registration of Societies Act.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition, with a direction to the

2nd respondent, to consider the representation of the petitioners dated 13.06.2005, if the petitioners' Society is registered under A.P.Cooperative Societies Act, and pass appropriate orders thereon, in accordance with law, after giving opportunity to the petitioners.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 28.10.2005

Dsr